

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10586 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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R K SALELS CORP

Versus

AGRICULTURAL PRODUCE MARKET COMMITTEE DAHOD & OR

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Appearance:

MR TUSHAR MEHTA for Petitioner

MR HL JANI for Respondent

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 08/10/97

ORAL JUDGMENT

The matter is placed on the Board as the learned counsel for the petitioner has not removed the office objections. The office objections are waived and the matter is taken up for final hearing at the request of learned counsel for the parties.

2. Challenge has been made by petitioner to the

order of respondent No.2 dated 5.10.93 whereunder the stay order granted by it was vacated. The stay order has been granted by respondent No.2 in appeal No.12 of 1992 filed by petitioner challenging therein the order of respondent No.1 dated 3.4.93. Under the order aforesaid, the respondent No.1 had cancelled the licence of the petitioner. The order of respondent No.2 dated 5.10.93 has been stayed by this Court on 8.10.93 and by now the appeal of the petitioner would have been decided.

3. It is really sorry state of affairs that counsel for the parties are unable to state whether the appeal aforesaid has been disposed of or not. However, this Special Civil Application is disposed of in terms that in case the appeal filed by petitioner is not decided so far by respondent No.2, the same shall be disposed of within a period of three months from the date of receipt of certified copy of this order. In case the appeal has already been decided, this order is not required to be complied with and in that eventuality, this Special Civil Application shall stand dismissed automatically. The Special Civil Application and Rule stand disposed of in aforesaid terms with no order as to costs.

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(sunil)